

**GLOBAL NAPs, INC.**  
**Legal Department**

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January 29, 2009

**BY ECF**

Honorable Robert M. Levy  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Verizon New York, Inc., et al v. Global NAPs, Inc., et al  
Civil Action 03 Civ. 5073 (ENV) (RML)

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Dear Magistrate Judge Levy:

Please be advised that I am in-house counsel for the defendants in this case. Global NAPs, Inc., Global NAPs Virginia, Inc., and Global NAPs South, Inc. (collectively "Global"). The purpose of this letter is to request that the discovery schedule be placed on hold due to the fact that Dreier, LLP, the law firm that had been representing my clients in this case and which has all of the necessary files and respective document productions, is in bankruptcy and we have been unable to obtain that firm's documents, most of which do not exist in the files of my clients.

On January 14, 2009, I wrote you a letter informing you that Attorney Richard Friedman, formerly of Dreier, LLP, had been handling the litigation in this case for us but unfortunately, due to forces beyond his control, that firm is now in bankruptcy. Mr. Friedman subsequently joined another firm and I met with him in New York to see if his new firm and my clients could come to an agreement on his continued representation. Unfortunately, we were unable to come to such an agreement.

Mr. Friedman provided me with all of the documents in his possession, two and a half boxes, and was most gracious in advising me as to the status of the litigation as best he could. However, he did not have custody of the full file and there were obviously a great deal of documents, both paper and electronic, missing. A search has been made for those files, and today I learned that the remaining files, contained in about 22 boxes, are in Dreier's LLP's storage facility in New York and inaccessible to my clients due to the bankruptcy.

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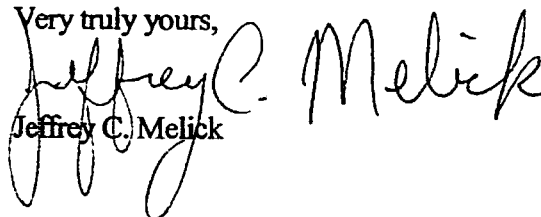
Additionally, there are documents stored electronically on the Dreier computer system which have been inaccessible to us for the same reason. I understand that there are "hundreds of thousands of documents" in those places. I need to first gain access to them, and then have them reviewed to see what they say. I expect to have assistance in that regard from another firm, Pastore Osterberg, LLP.

In light of the inaccessibility of my clients' files, the enormous amount of paper in them, and the complexity of the issues in this case, my clients are unable to meet the discovery requirements in your recent orders. There is simply no way to properly prepare for any depositions without the files, and I have no idea when I will be granted access to them by the bankruptcy trustee.

In light of the above, my clients respectfully request that discovery in this case be placed on hold and that a new schedule be addressed at the status conference scheduled for March 6, 2009. In the meantime I will continue to work diligently to obtain these documents.

I have called Attorney Andrew Harris to discuss this with him but have been unable to get a hold of him. He has been very understanding of our situation and I expect to have a conversation with him tomorrow about this issue, but I thought it would be best to bring it to your attention sooner rather than later in light of your order and the circumstances described above.

Thank you very much for your consideration of this request.

Very truly yours,  
  
Jeffrey C. Melick

cc. Counsel of Record (via ECF)  
Eric Osterberg, Esquire (via e-mail)